



Drive-Through Restaurant Overlay District

Presentation to Westford Residents

6 May 2021

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Westford Planning Board

Presentation Overview

- Background
- Master Plan and C/I Tax Base
- Way Ahead – Drive-through Restaurant Bylaw Events and Survey
- Drive-Through Restaurant Overlay District Bylaw Structure
- Questions

Drive-Through Restaurant Bylaw Background

- Following the October 2020 STM:
 - Westford Economic Development Committee (EDC), as routine, met with various commercial property owners to discuss occupancy rates and leasing issues
 - Westford EDC discussed the issue of drive-through restaurant as an obstacle to sign new tenants in some properties
- In February 2021, EDC and Town Manager requested Planning Board to consider placing a drive-through restaurant article on 2021 ATM warrant
- In March 2021, Select Board placed a placeholder article on 2021 ATM warrant for drive-through restaurants and directed Planning Board to run the “process” to develop motion
- On 5 April, Planning Board agreed by vote to sponsor the Zoning Bylaw Amendment on the warrant and to request that the Select Board place it on the warrant. PB members discussed delaying until 2021 STM but Article 24 could pose a risk

Dining, Ordering and Delivery Paradigms

- Dine-in
- Counter, telephone or online order with takeout – delivered at a take-out counter
- Telephone or online order with takeout – Curbside pick-up or contactless delivery
- Telephone or online order with Home Delivery provided by the restaurant or by delivery services
- **Outside order kiosk, telephone or online order with takeout – Drive-Through Window**

Westford Comprehensive Master Plan – April 2009

- Should the non-residential (also referred to as C/I) tax base be increased to the twenty or twenty-five percent range, as recommended in the 1995 Westford Master Plan?

Current Westford Tax Base Breakdown – FY20

• Residential	87.8%	
• Commercial	5.98%	} 9.96%
• Industrial	3.98%	
• Personal Property	2.25%	

Drive-Through Restaurant Bylaw Way Ahead

- Planning Board opened hearings for Zoning articles on 3 May
 - Continued to 17 May
- Online Information Forums on 6 and 26 May
- Online Survey to open 6 May (following this meeting)
 - <https://westfordma.gov/drive-through-survey>



- For more information, visit “Drive-Through Restaurant” information area on Planning Board page

DTROD Bylaw : Drive-Through Restaurant Overlay District

- The Drive-Through Restaurant Overlay District (DTROD) is proposed as an amendment to Westford's Zoning Bylaw (ZB)
- From Section 1.6 of Westford Zoning Bylaw:
 - "This Zoning Bylaw may be amended from time to time at an Annual or Special Town Meeting pursuant to the provisions of G.L. c. 40A, s. 5. The effective date of an amendment to this Zoning Bylaw shall be the date on which such amendment was adopted by a favorable two-thirds vote of Town Meeting, subject to approval by the Attorney General and its publication in a town bulletin or pamphlet and posting or its publication in a newspaper as provided in G.L. c. 40, s. 32."
- Summary: A Zoning amendment requires 2/3 majority approval at Town Meeting but does not require approval via election ballot

DTROD Bylaw: Overlay District

- The Drive-Through Restaurant Overlay District (DTROD) shall consist exclusively of the properties in the Commercial Highway (CH) zoning district that have frontage along Littleton Road.

Overlay Districts

- What is an Overlay District?
 - From American Planning Association, “An overlay zone “*district*” is a zoning district which is applied over one or more previously established zoning districts, establishing additional or stricter standards and criteria for covered properties in addition to those of the underlying zoning district.”¹
- Westford’s Overlay Districts
 - Overlay Districts are identified in Section 2.1.1 of Zoning Bylaw
 - Overlay Districts are defined in Section 8 “Special Districts” of Zoning Bylaw

¹ American Planning Association, “Property Topics and Concepts”,
<https://www.planning.org/divisions/planningandlaw/propertytopics.htm>

DTROD Bylaw

Special Permit Requirements

- Within the DTROD, upon the issuance of a special permit by the Planning Board
 - A restaurant with a drive-through capability may be constructed
 - Or a drive-through capability may be added to an existing restaurant
- Special permit for a restaurant with a drive-through may be issued:
 - Upon site plan approval pursuant to section 9.4 (of Zoning Bylaw)
 - And subject to the requirements set forth (in upcoming slides)

DTROD Bylaw

Special Permit Limit

- No more than 6 special permits for restaurants with drive-through shall be issued within the DTROD.

DTROD Bylaw

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Restaurants with Drive-through, Standards

- A restaurant with a drive-through, to be eligible for a special permit, must satisfy the following standards:
 - Located fully within the Drive-Through Restaurant Overlay District (DTROD)
 - Must be located on an end cap or be free-standing
 - Minimum of 10 interior seats
 - Must provide for consumption of food prepared on the premises
 - Must provide for outdoor seating / eating areas
 - The drive-through shall only be open, no longer than, from 5:30 am to 10 pm

DTROD Bylaw Signage

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- Add the following to 5.3.5.7 Display of Restaurant Menu section of Zoning Bylaw
 - “b. Drive-thru restaurants may have one free standing menu board sign for each drive-thru lane. The menu board may be a maximum of 30 square feet, and have a maximum vertical dimension of 6 feet. No additional temporary or permanent signs, panels, banners, flags, etc. of any type may be attached to the menu board. The following requirements are additionally applied to these free standing menu board signs:
 - i. Whenever possible the free standing menu board sign must be placed in a location that is not fully visible from any public ways. If the free standing menu board sign will be visible from a public way it should be placed in a manner that minimizes the sight of the illuminated portion of the sign from the public way
 - ii. If the layout of the property will not allow the free standing menu sign to be installed in a manner that will prevent it being visible from a public way it must be accompanied by screening / camouflage which minimizes the visibility of the sign from the public way it will be visible from (landscaping, decorative fencing / screening, etc.)”
- Issues still being worked
 - Dimensional standards for lane, queuing, etc.
 - Ordering kiosk speaker volume/baffling/impact on abutters

DTROD Bylaw

Special Permit Approval Criteria and Conditions

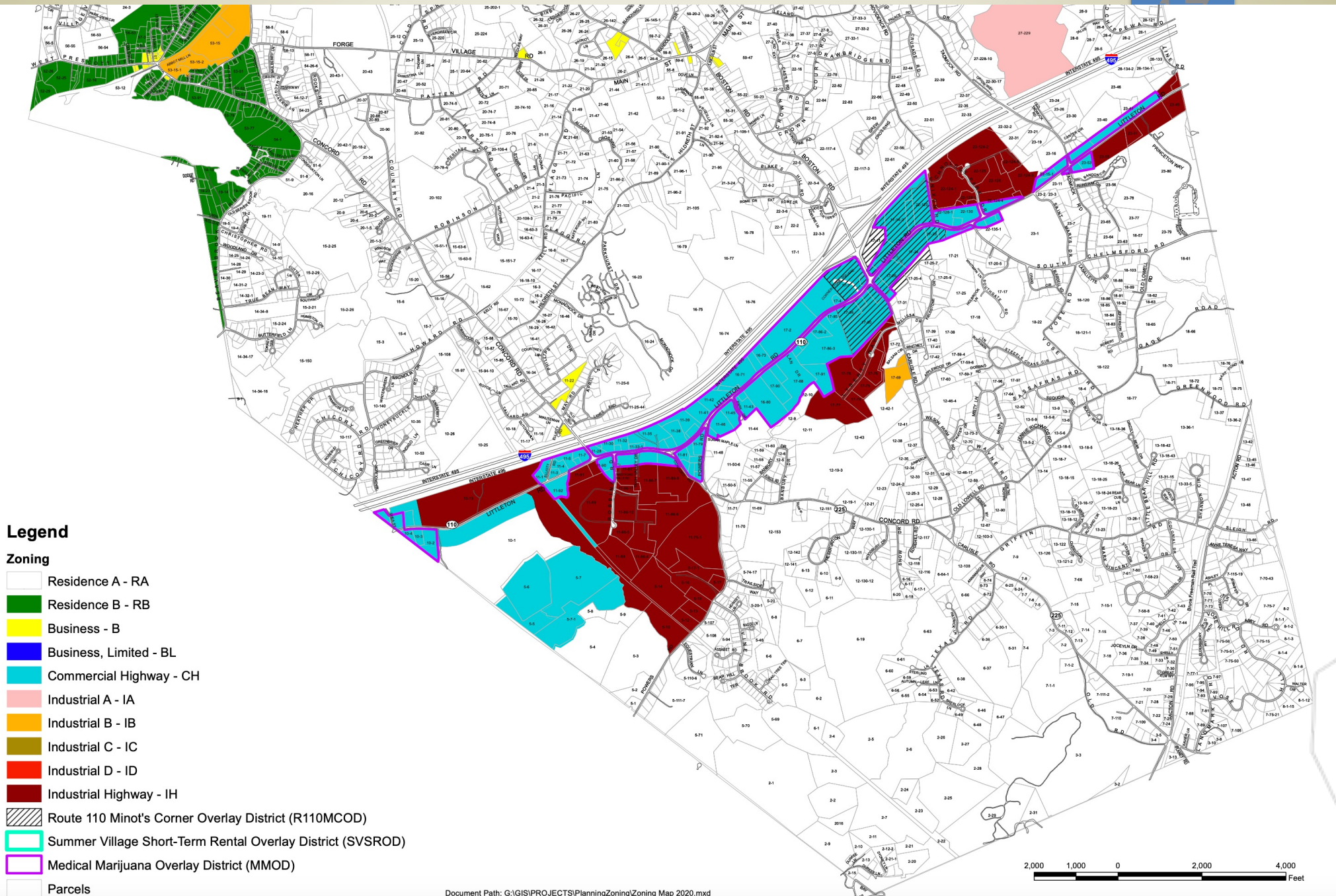
- The Planning Board may impose reasonable conditions to improve site design, traffic flow, public safety, protection of significant environmental resources and the preservation of community character of the surrounding area including but not limited to the following:
 - Minimize the impacts of increased noise and traffic;
 - Impose placement and screening restrictions upon the size and location of drive-through signage and remote ordering devices;
 - Conditions related to the design, construction or modification of the facility to manage safety, security and conformance with community character.
- Note: DTROD falls within the Route 110 Master Plan area of coverage

Support for DTROD Bylaw

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- Westford Economic Development Committee (EDC)
- Westford Commission on Disability
- Westford Council of Aging
- Westford Business Association

Westford Zoning Map – Rt 110





Thank you - Questions?

Next Forum – 26 May 7PM